

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Osamu NAKAMURA et al.)

Serial No. 10/056,055)

Filed: January 28, 2002)

For: SEMICONDUCTOR DEVICE)

AND MANUFACTURING)

METHOD OF THE SAME)

Attention: Applications Branch

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with
The United States Postal Service with sufficient postage as First
Class Mail in an envelope addressed to: Commissioner for Patents,
Washington, D.C. 20231, on 4/22/02

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED

Honorable Commissioner for Patents

Washington, D.C. 20231

Sir:


In response to the Notice to File Missing Parts of Application - Filing Date Granted, under 37 CFR 1.53(b) dated March 1, 2002, submitted herewith is an executed Declaration and Power of Attorney and a copy of Notice to File Missing Parts of Application - Filing Date Granted along with the fees under 37 CFR 1.16. (Statutory Basic Filing Fee - \$740, Surcharge - \$130, and Additional Claims Fee - \$1752).

The Notice to File Missing Parts is requiring Applicants to submit substitute drawings in compliance with 37 CFR 1.84. Specifically, Notice asserts that the application contains color drawings or photographs. Applicants have reviewed the application and have not found any drawings or photographs which contain color. However, Applicants respectfully request clarification as to which figure(s) contain color. Upon receiving clarification Applicants will gladly provide substitute drawings in compliance with 37 CFR 1.84.

The above fees are covered by the check attached herewith. Should there be any additional fees required for proper filing of the attached documents, please charge

Deposit Account No. 19-2380. Prompt issuance of a filing receipt is respectfully requested.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

NIXON PEABODY LLP
8180 Greensboro Drive
McLean, Virginia 22102
(703) 790-9110

COPY OF PAPERS
ORIGINALLY FILED

MP/11

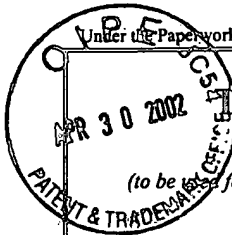
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PTO/SB721 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/056,055		
	Filing Date	January 28, 2002	
	First Named Inventor	Osamu NAKAMURA et al.	
	Group Art Unit	2811	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission		Attorney Docket Number	0756-2428

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input checked="" type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Change of Correspondence Address Form
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean, VA 22102
Signature	
Date	4-22-02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:	
4/22/02	
Type or printed name	Andrew M. Dixon
Signature	
Date	4/22/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

O I P E E TRANSMITTAL FOR FY 2002 APR 30 2002 <small>Patent fees are subject to annual revision.</small>		Complete if Known																																																																																																																																																																		
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<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: 19-2380</p> <p>Deposit Account Name: Nixon Peabody LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>		<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td>130.00</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130 Non-English transaction</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td><td></td></tr><tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,280</td><td>241</td><td>640 Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,280</td><td>242</td><td>640 Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>460</td><td>243</td><td>230 Design issue fee</td><td></td></tr><tr><td>144</td><td>620</td><td>244</td><td>310 Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CR 1.17(q)</td><td></td></tr><tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr><tr><td>146</td><td>740</td><td>246</td><td>370 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149</td><td>740</td><td>249</td><td>370 For each additional invention to be examined (37 CFR § 1.29(b))</td><td></td></tr><tr><td>179</td><td>740</td><td>279</td><td>370 Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="4">Other fee (specify) _____</td></tr><tr><td colspan="4">* Reduced by Basic Filing Fee Paid</td></tr><tr><td colspan="4" style="text-align: right;">SUBTOTAL (3) (\$)</td></tr><tr><td colspan="4" style="text-align: right;">170.00</td></tr></tbody></table>		Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - 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Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285																																																																																																																																																																	
Telephone		Telephone	(703) 770-9300																																																																																																																																																																	
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/056,055	01/28/2002	Osamu Nakamura	740756-2428

CONFIRMATION NO. 3986

FORMALITIES LETTER



OC000000007563651

Date Mailed: 03/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/02/2002 AOSMAN1 00000050 10056055

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:102	672.00 OP
03 FC:103	1080.00 OP
04 FC:105	130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1752.
 - \$1080 for 60 total claims over 20.
 - \$672 for 8 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2622.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - the application contains color drawings or color photographs, but not a black and white copy of the drawings/photographs (see 37 CFR 1.84(a)(2)(iii) and 1.165(b));

A copy of this notice MUST be returned with the reply.

Janaye A.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE